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JOHN EARL CAMPBELL

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN EARL CAMPBELL,

Plaintiff,

v.

NATIONAL PASSENGER RAILROAD
CORPORATION dba AMTRAK, JOE
DEELY, and DOES 1-15, inclusive,

Defendants.

NO. C05-5434 MJJ (EDL)

**DECLARATION OF CHAD M. SKINNER
IN OPPOSITION TO DEFENDANTS'
JOSEPH DEELY AND NATIONAL
RAILROAD PASSENGER
CORPORATION'S MOTIONS FOR
SUMMARY JUDGMENT OR IN THE
ALTERNATIVE, PARTIAL SUMMARY
JUDGMENT**

DATE: May 22, 2007
TIME: 9:30 a.m.
DEPT: CTRM. 11, 19th Floor

HONORABLE MARTIN J. JENKINS

DISCOVERY CUT-OFF: March 23, 2007

TRIAL DATE: July 23, 2007

I, CHAD M. SKINNER, declare:

1. I am an employee of the National Passenger Railroad Corporation dba Amtrak. I have been employed by Amtrak since December 1998. My current job title and classification is Engineer. I was promoted to my position as Engineer in December 2000. I make this declaration on personal knowledge in opposition to Defendants' Motion for Summary Judgment.

2. For approximately five (5) years, I have also served as the Local Vice Chairman for the BLET ("Brotherhood of Locomotive Engineers and Trainmen"), Division 144 - Amtrak. My duties include representation of members of the BLET in a variety of matters, including primarily but not only disciplinary matters. As the BLET Local Vice Chairman, I have also sat on promotional interviews a couple of times a year since 2002.

3. I participated in the interviews for engineer positions in July 2004. Amtrak interviewed approximately thirty (30) applicants for seven (7) positions in Oakland and Sacramento. Plaintiff John Earl Campbell was one of the interviewees. He had an outstanding interview and received one of the highest ratings of any candidate. My Locomotive Engineer Interview Booklet for Mr. Campbell's interview reflects that he received a score of "37" from me and an overall or team score of "37" from the entire panel. (A true and correct copy of my Interview Booklet which I signed and submitted on July 8, 2004 is attached hereto as Exhibit 1.)

4. My co-panelists for Mr. Campbell's interview included Larry Follis and Sue Venturelli. We all jointly recommended that John Campbell be hired. When I left the interview panel, it was my understanding that he was going to be offered the position. No one ever informed me that Mr. Campbell could or would be disqualified because of his safety record, or that our unanimous recommendation that he be offered the position was subject to a subsequent review of his disciplinary record. I was so proud and confident that Mr. Campbell was going to be offered the position that I called him shortly after the interview to offer him my congratulations.

5. I have reviewed the Declaration of Larry Follis dated April 3, 2007, submitted in support of Defendants' Motion for Summary Judgment. In the course of the panel's deliberations following Mr. Campbell's interview, Larry Follis did not voice any concern to the panel regarding Mr. Campbell's work history or his job duties at Southern Pacific. I specifically recall my discussions with Mr. Follis and Ms. Venturelli, and Mr. Follis never said anything to me indicating that he had a concern that if Mr. Campbell operated certain machinery at Southern Pacific, he would have done so without official training or authority.

6. I recall that Mr. Follis concurred with the team score of "37" for Mr. Campbell and the joint recommendation that Mr. Campbell be offered the engineer position. He stated to me

1 that John Campbell had given "one of the best interviews I've ever seen." At no time before the
2 panel recessed were we "apprised of" Mr. Campbell's past safety record. I am aware of some
3 people whom I interviewed who were promoted and had prior safety or rules violations during their
4 employment.

5 7. Subsequent to the interviews, I was shocked to receive a grievance filed by Mr.
6 Campbell regarding his application for Engine service, indicating that he was not selected for one of
7 the seven (7) positions. On August 10, 2004, I prepared and sent a letter to Mr. Campbell detailing
8 for him what I knew had occurred as part of the interview and selection process. (A true and correct
9 copy of my letter of August 10, 2004 to Mr. Campbell is attached hereto as Exhibit 2.) While we
10 later discovered that Patrick Preusser met with the HR representative and apparently disqualified
11 Mr. Campbell at that meeting, this was not the normal practice in past interviews in which our
12 union participated.

13 8. In my experience as an Amtrak employee, splitting switches is a common
14 occurrence, especially in the Yard. In my experience, people are not normally terminated for this
15 type of rule violation. I am aware of situations where an assistant conductor has had more than
16 three split switches without receiving any discipline. Steve Shelton also told me that he backed up a
17 live passenger train and derailed the Coast Starlight over a spring switch, and he was not fired. At
18 that time, Defendant Deely was the Superintendent.

19 9. I also have worked regularly in the Oakland Yard for approximately six months
20 and at other times filling in for other Engineers. I observed every conductor I worked with "cut the
21 trucks" and found that it was a common practice to cut the trucks out over a pit, then and now. In
22 the mechanical department, the mechanical employees cut out trucks on a regular basis in order to
23 move equipment.

24 10. On September 28, 2004, I met with Richard Barnes and Steve Shelton to discuss
25 several railroad-related issues. During the course of that conversation, we had a discussion about
26 the recent termination of Mr. Campbell. During our discussion, I heard Steve Shelton tell Mr.
27 Barnes that if he had known that Mr. Campbell was a member of the BLET, he would not have
28 terminated him.

1 11. Mr. Shelton told Mr. Barnes and I that it was not his decision to fire Mr.
2 Campbell. He said that "it came from back east and Joe Deely." Steve Shelton told us that he told
3 them that what Mr. Campbell had done was not a terminating offense and that he knew that Mr.
4 Campbell would be reinstated with back pay. Mr. Shelton told us that Joe Deely told him "just to
5 do as he is told."

6 12. During our conversation, Mr. Shelton recalled that Mr. Campbell had applied for
7 engine service before his termination. Mr. Barnes and I described to Mr. Shelton what a great
8 worker Mr. Campbell had been, both in the Oakland Yard and in the San Francisco Yard. Upon
9 hearing our opinions, Mr. Shelton said to us that he was sure that Mr. Campbell would be reinstated
10 to his position.

11 13. I prepared and sent an e-mail to John Campbell on Wednesday, September 29,
12 2004. It accurately reflects the conversation Richard Barnes and I had with Steve Shelton and the
13 statements he made to us on Tuesday, September 28, 2004. (A true and correct copy of my e-mail
14 transmission and John's response is attached hereto as Exhibit 3.)

15 I declare under penalty of perjury under the laws of the United States that the foregoing
16 is true and correct. If called as a witness, I could and would testify to the foregoing based upon my
17 personal knowledge.

18 Executed on April 29, 2007, at Auburn, California.

19
20 
21 CHAD M. SKINNER
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ATTACHMENT - EXHIBIT -1

CAMPBELL
7/8/04



Locomotive Engineer Interview Booklet 2003

D08696

AMTRAK LOCOMOTIVE ENGINEER INTERVIEW INSTRUCTIONS

Part 1: Pre-Interview Activities

DO:

- 1) Review the candidate's application form, resume, work record, and other supporting documentation, and take notes on any specific areas of inquiry you might want to focus on in the interview
- 2) Make sure the candidate's records indicate that s/he has completed all pre-interview testing (administered by Amtrak Human Resources)
- 3) Make sure that you identify a room for your interview that is comfortable (seating arrangements, temperature, etc.) and that will feature minimal interruptions
- 4) Turn off cell phones, pagers, etc. for the duration of the interview
- 5) Focus your attention on the interview during your time with the candidate – minimize other work distractions and interruptions
- 6) Let the candidate do most of the talking – if you are talking 40% or more of the time, you are talking too much
- 7) Take notes during the interview – complete the rating form provided, making notes and providing written justification for your numerical ratings

DO NOT:

- 1) DO NOT use a telephone interview to substitute for a face-to-face interview
- 2) DO NOT ask interview questions that are not job-related, or that focus on inappropriate and/or unlawful areas of inquiry (i.e., marital status, family size, physical condition, etc.)
- 3) DO NOT "Squeeze-in" an interview while you are busy with other work activities – you are responsible for helping Amtrak make a smart, long-term employment decision about the candidate in question (not to mention the training dollars that will be spent preparing the individual to become a Locomotive Engineer)
- 4) DO NOT DOMINATE THE INTERVIEW – ask the questions provided, ask questions based on your review of the candidate's background, and let the candidate "sell" you on his/her merits for the position
- 5) DO NOT SUBMIT INCOMPLETE RATING FORMS OR OTHER PAPERWORK – please help the interview process flow smoothly by accurately (and legibly) completing the paperwork that is part of the process

D08697

Part 2: Conducting the Interview

- 1) Welcome the candidate to the interview process
 - Introduce yourself
 - Thank the candidate for his/her interest in the position
 - State that the interview will last approximately 45 minutes
 - Go through a safety briefing (exits, emergency procedures, etc.)
- 2) Ensure that the candidate has completed the "Realistic Job Preview" for the position of Locomotive Engineer, and has a signed "RJP Certification Form" and a signed "Engineer Task Checklist" for you
 - IF YES – PROCEED WITH THE INTERVIEW
 - IF NO – HAVE THE PERSON COMPLETE THE RJP, SIGN THE RJP CERTIFICATION FORM AND THE ENGINEER TASK CHECKLIST, THEN PROCEED WITH THE INTERVIEW
- 3) Conduct the Interview for the candidate
 - Complete the "Rating Booklet" contained in the following pages
 - Make careful notes documenting your ratings
 - Follow the instructions provided

Part 3: Post-Interview Activities

- Review the notes you have made for each question, and indicate the candidate's score on each item
- Transfer the candidate's score on each item to the "Candidate Interview Performance" matrix, and sum the candidate's scores
- Provide your rating of the candidate's "Overall Suitability" in the space provided
- Work with your interview team to determine a "team rating" of the candidate's overall suitability, and indicate same in the space provided
- Sign and date the final page of the rating booklet
- Notify _____ of your decision about the candidate, and forward all written documentation of the interview (the interview booklet, any notes, and any candidate materials) to _____ in the Human Resources Department

D08698

LOCOMOTIVE ENGINEER RATING BOOKLET

STEP 1: OPENING THE INTERVIEW

SAY:

"Hello. You must be ____ (candidate's name). My name is _____, and I am the ____ (your position title) _____. I am looking forward to speaking with you today regarding your interest in the position of Locomotive Engineer".

"Our interview time will last about 45 minutes today. You will be free to ask questions at the end of our interview period. Our interview time will allow me to learn a little bit more about your background, and why you are interested in the position of Locomotive Engineer".

Before we get started, let me go through a Safety Briefing with you. Our nearest exit is ____ (describe ____), and a telephone for emergencies is ____ (describe) _____. If we need to convene outside of the building, let's meet at the ____ (describe landmark) _____. Is there anything I have forgotten in the safety briefing?"

"Is there anything you need before we get started – would you like some water or anything?" (ATTEMPT TO MAKE THE INTERVIEWEE AS COMFORTABLE AS POSSIBLE)

STEP 2: CONDUCTING THE INTERVIEW

Ask the following questions verbatim. Listen carefully to the candidate's responses, making notes in the spaces provided. Circle any of the "Themes to Look For" that are mentioned by the candidate.

D08699

Question #1: Review of Realistic Job Preview

"Before we begin – have you completed the "Realistic Job Preview" for the position of Locomotive Engineer, and do you have a signed "RJP Certification Form" and a signed "Engineer Checklist" for me?"

CHECK: ☒ "YES" -- proceed with the interview

☐ "NO" -- STOP THE INTERVIEW

(If the person answers "No" to the above question, OR DOES NOT HAVE A SIGNED RJP CERTIFICATION FORM OR TASK CHECKLIST WITH THEM, notify them that they were supposed to do this prior to the interview. Have the candidate review the RJP, have them sign the appropriate paperwork and submit it to you, then proceed with the interview.

Notes:

D08700

Question #2: Work Background

"Tell me a little bit about your background – where did you go to school, and what is your work experience (both with Amtrak and prior to joining Amtrak)".

3 <input checked="" type="checkbox"/> Has a wide variety of prior job experiences, each with important responsibilities; has Amtrak experience(s) that will enhance his/her transition to becoming a Locomotive Engineer	2 <input type="checkbox"/> Has a solid track record of previous employment, and has moved to positions with additional responsibilities throughout his/her career; prior Amtrak experience(s) will not facilitate his/her transition to becoming a Locomotive Engineer	1 <input type="checkbox"/> Has very limited work experiences; does not show a history of moving to positions with increased responsibility; has held predominantly lower-level employment; Amtrak experience is very limited and irrelevant to the position of Locomotive Engineer
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NOTES:

SP 1984-1992

AMTRAK 1998, MFD 1999

DRIVE TRUCK BETWEEN 92-98

WORKED CTR NORTH

PROJECT FINISHED PROJECT
AHEAD OF SCHEDULE.

D08701

Question #3: Why Interested in Becoming an Engineer?"

"Why are you interested in becoming a Locomotive Engineer with Amtrak?"

Probing Questions:

Why do you think you would be a good Locomotive Engineer?

What characteristics do you have that you feel would make you a successful Locomotive Engineer?

3 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	1 <input type="checkbox"/>
<p>Expresses an interest in and affinity for the work of an Engineer; wants to take on the responsibilities associated with being an Engineer; describes how his/her characteristics will allow them to be effective in the role; shows evidence of understanding the challenges outlined in the "job preview", and is willing to take on these challenges</p>	<p>Expresses confidence in his/her ability to perform the duties of Engineer; shows a willingness to work under the job conditions outlined in the "job preview", but does not elaborate on how their personal characteristics will allow them to perform well as an Engineer</p>	<p>Shows little evidence of understanding the duties or responsibilities of a Locomotive Engineer; does not demonstrate an understanding of the job environment of the position, and does not describe "why" they are likely to be successful in the position</p>

NOTES:

INCREASE IN PAY

GOOD AT HEAVY EQUIPMENT - MACHINES
OPERATED TAMPER.

D08702

Question #4: Locomotive Engineer Training Program

"Becoming a Locomotive Engineer requires an extensive training program – both in classroom settings and on-the-job training out in the field. Give an example of when you have had to complete a rigorous training program, either in your work experience or at school"

Probing Questions:

Describe the training program?

What were some of the challenges of the training program?

Was the training program in a classroom or in the field, and which did you prefer and why?

3 <input type="checkbox"/> Describes a complex, multi-faceted training program that was completed at work, school, or the military; demonstrates solid performance in both classroom and field training settings; previous experience demonstrates that they are likely to perform well in the training program	2 <input checked="" type="checkbox"/> Describes the completion of a multi-stage training program of medium scope, and/or describes strong academic performance in school; past experience should allow them to successfully complete the Locomotive Engineer training program	1 <input type="checkbox"/> Is not able to describe a past training and/or educational experience where they have demonstrated the ability to learn in classroom or field settings; has a poor record of academic performance; past experiences shed doubt on their ability to successfully complete the training program
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NOTES:

7 WEEKS OF A/C TRAINING
RIGOROUS -

PREFERS HANDS-ON TRAINING

PREVIOUS WORK EXPERIENCE
AND TRAINING ON SPRR IN
MAINTENANCE OF WAY.

D08703

Question #5: Ability to Work Extended Hours

"Working as a Locomotive Engineer means being on-the-job for extended hours, including night, weekend, and holiday work. How will you accommodate the demands of this type of schedule?"

Probing Questions:

Describe a situation when you had to work on a night, weekend, or holiday?

How would you adapt to a night, weekend, or holiday schedule?

3 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	1 <input type="checkbox"/>
Relates past job experiences with shift work, extended hours, and/or weekend duty; demonstrates that they have thought through the challenging work schedule of an Engineer, and are willing to adapt to the demands of such a schedule	Does not have experience with extended hours or shift work, but demonstrates that they have thought through the challenges of such a work schedule, and are willing to adapt to the demands placed by such a schedule	Has no experience with extended hours or shift work, and does not convey that they are willing to make the sacrifices necessary in such a work schedule (i.e., unwilling to be away from home, to work weekends, etc.)

NOTES: PREVIOUS WORK INVOLVES NIGHT WORK
MOSTLY NIGHT SHIFTS SINCE 1999
WILL WORK NIGHTS, HOLIDAYS, WEEKENDS
ETC

D08704

Question #6: Comfort and Experience with Heavy Machinery

"Working as an Engineer involves, of course, operating the locomotive. What kinds of experiences do you have operating heavy machinery, or being in job settings that featured heavy equipment and/or machinery?"

Probing Questions:
What situation were you in when you operated heavy machinery?
What did you like or dislike about working with heavy machinery?

<div>3 <input checked="" type="checkbox"/></div> <div>Describes past job experiences where s/he has operated heavy machinery, and/or describes past work settings that have featured the noise, heat, and "feel" of heavy equipment or machinery</div>	<div>2 <input type="checkbox"/></div> <div>Does not have work experiences with heavy equipment or machinery, but shows evidence of thinking through the job environment created by such machinery, and displays confidence that s/he will enjoy such settings</div>	<div>1 <input type="checkbox"/></div> <div>Has no experience with heavy equipment or machinery, and does not express an interest in learning about or working with such equipment; conveys that s/he would be uncomfortable in such settings</div>
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NOTES: 8 YEARS IN MOFLW
AROUND LOCOMOTIVES
WORK TRAIN EXPERIENCE
TRUCK DRIVING
STRONG INTEREST IN HEAVY MACHINERY & EQUIPMENT

D08705

Question #7: Working in a Rule-Oriented and Procedures-Oriented Work Environment

"Working as a Locomotive Engineer means-requires that you adhere to railroad Operating Rules, Company Policies, and specified train handling procedures. Give an example of when you have had to work in a heavily rule-oriented environment – how did you like working in this setting?"

Probing Questions:

What situations have you been in that are rule-oriented?

How did you handle a heavily rule-oriented environment?

Did you ever have to break a rule and why?

3 <input checked="" type="checkbox"/> <p>Displays a comfort with working in rules-oriented and procedure-oriented environments; has a track record of performing well in such environments; understands that rules and policies are in-place for a reason, and is willing to follow them</p>	2 <input type="checkbox"/> <p>Does not have experience with heavily rule or procedure-oriented environments, but shows clear understanding that this is an expectation for Locomotive Engineers, and expresses willingness to work in such an environment</p>	1 <input type="checkbox"/> <p>Has no experience with rule-oriented work environments; does not display an interest in such environments; does not convey that they would be satisfied and/or productive in such work environments</p>
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NOTES:

WORKED ON A WORK TRAIN
PROJECT ON THE PCS.

VERY RULE ORIENTED - CONSCIOUS

EXPLAINED SITUATIONS OF WORKING
IN A RULE ORIENTED ENVIRONMENT.

NEVER HAD TO BREAK A RULE.

AGREES WITH RULES AND PROVISIONS
SET FORTH IN SUCH.

D08706

Question #8: Ability to Remain Attentive Over Extended Periods

"Locomotive Engineers are required to remain vigilant and observant over extended periods of time, even after they have worked for long stretches of time. What job experiences have you had that required you to be detail-oriented and observant, particularly over a long period of time?"

Probing Questions:

How do you maintain and handle constant vigilance?
 Was there a time when you were exhausted and could not remain attentive? What happened?
 What was the situation where you had to remain attentive?

<div>3 <input checked="" type="checkbox"/></div> <p>Describes job experiences that have required focusing on details and "maintaining attention" for long periods; has performed jobs that required multi-tasking (including observations, and using information from observations to drive their subsequent actions)</p>	<div>2 <input type="checkbox"/></div> <p>Describes experiences where s/he has had to be detail-oriented OR attentive; conveys solid planning or "monitoring" skills; understands the importance of this characteristic for the position of Engineer, and demonstrates that they can develop in this area</p>	<div>1 <input type="checkbox"/></div> <p>Does not describe a situation requiring detail-orientation or attentiveness; does not indicate that they can learn or develop in this area; demonstrates indifference to this area</p>
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NOTES:

POSITION IN THE COACH YARD REQUIRES VIGILANCE. FOR LONG PERIODS OF TIME.

GAVE EXAMPLES OF EXPERIENCES REQUIRING DETAILED ORIENT.

TOO FATIGUED - SLOW DOWN DONT TRY TO GO TOO FAST.

D08707

Question #9: Ability to Work with Others as Part of a Team

"Locomotive Engineers work "as a team" with other members of the train crew to ensure the safe and timely arrival of their train. Give an example of when you have worked well as part of a team, and give an example of when you have been part of a team that was "challenging" or difficult".

Probing Questions:

What was challenging or difficult?

What did you say to each other?

How did you each react?

Did you involve others in resolving the situation? If so, who and how?

How did your interactions affect other team members?

How did it end up?

What was your relationship with the other person(s) after the fact?

<p>3 <input checked="" type="checkbox"/></p> <p>Demonstrates that they can fit-in well with a team environment; shares examples of when they have played important roles as part of a team; demonstrates that they are flexible and adaptable in team settings; shows that they are capable of handling challenges within the team</p>	<p>2 <input type="checkbox"/></p> <p>Describes some settings where they have worked well with others; shows that they are capable of fitting-in within a team environment; displays confidence that they can work well with other railroad members</p>	<p>1 <input type="checkbox"/></p> <p>Is not able to relate team-based work experiences; shows indifference towards working with others in this setting; does not convey the ability to fit-in as part of a team environment</p>
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NOTES:

WORKS WELL WITH OTHER MEMBERS OF HIS CREW.

HAS PROBLEMS WITH CERTAIN MECHANICAL PERSONNEL & WORKING AS A TEAM

WANTS TEE TO WORK TOGETHER WITH MECHANICAL INSTEAD OF AGAINST.

ALWAYS PREPARE, HAVE BACK UP PLANS
DO NOT PANIC

GETS ALONG WITH WORKERS, AND MOST SUPERVISORS

D08708

Question #10: Ability to Maintain a Calm Demeanor and Make Decisions Under Pressure

"Locomotive Engineers must frequently make good decisions quickly, and under periods of pressure and stress. Give an example of when your ability to maintain a calm demeanor and a "level head" allowed you to successfully resolve or problem".

Probing Questions:

What was the situation when you had to remain calm and think quickly?

What do you do to maintain composure in a stressful situation?

When you feel that the situation is overwhelming, what do you do?

3 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	1 <input type="checkbox"/>
Describes specific situations where s/he has been able to make effective decisions under pressure; shows evidence of being resilient under pressure and stress; is capable of being decisive; does not shy-away from making decisions	Is able to relate general examples of when s/he has performed solidly under pressure; shows evidence of avoiding emotional mood swings or displays of temper when under stress; is likely to be resilient under pressure	Does not provide examples of when s/he has dealt effectively with pressure on the job; has not been in situations where pressure or stress were present; does not convey that s/he would capably handle pressure or stress in the work environment

NOTES:

DETECTIVE SWITCH @ REDWOOD CITY
TRAIN DERAILED, MANAGED TO KEEP CALM

NO SITUATION HAS BEEN TOO OVERWHELMING
OVERWHELMING SITUATIONS AND PRESSURE
MOTIVATES HIM TO WORK HARDER

GAVE GOOD EXAMPLES OF MAKING
DECISIONS UNDER PRESSURE ON ROAD
TRAINS & IN THE YARD.

D08709

Question #11: Problem-Solving Ability

"Locomotive Engineers frequently have to think through issues and come up with a course of action to resolve problems that arise during the course of their duties. Give an example of when you have faced a tough problem on the job, and resolved it through your own thought process and your own effort. Describe both the situation, and how you resolved it..."

Probing Questions:

What was the situation?

Did you determine the cause of the problem? If so, what was it?

How did you decide upon the option you chose?

Did you get anyone else involved in the problem?

What steps did you take to resolve the problem?

Did you weigh the pros and cons of the steps you took? If so, what were they?

What was the result?

<div>3 <input checked="" type="checkbox"/></div> <div>Describes a situation where s/he [a] identified a problem, [b] investigated and researched same, [c] enacted a course of action, and [d] monitored results and made additional improvements. Clearly shows the ability to problem-solve on the job.</div>	<div>2 <input type="checkbox"/></div> <div>Describes an example of when s/he has had a role in resolving a work-related problem; shows some evidence of problem-solving skills, and the ability to think-through things on their own; is likely to master the problem-solving skills needed</div>	<div>1 <input type="checkbox"/></div> <div>Unable to relate examples of when they have used problem-solving skills on the job; examples provided do not show any depth of processing; does not appear interested in engaging in problem-solving or "thinking" pursuits</div>
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NOTES:

UPRR DERAILED ON LEAD FROM
DIESEL SHOP,

FIGURED OUT A SOLUTION TO
GET POWER OUT,

CAME UP WITH PROBLEM SOLVING
TECHNIQUES, EX: FLAT WHEELS NEEDED
CHANGING NO GOOD WHEELS IN STOCK
SUGGESTED SWITCHING OUT WHEELS ON
B/O CARS

D08710

Question #12: Ability to Work in Solitary Settings

"Give an example of when you have performed well in job roles that have required you to work by yourself, as well as situations where you have worked with others as part of a team. Which kind of job setting do you prefer – working with others, or working by yourself? Why?"

Probing Questions:

Describe a situation where you worked by yourself, but would have preferred to work with others?

Describe a situation where you worked with others, but would have preferred to work alone?

3 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	1 <input type="checkbox"/>
Shows evidence of being flexible and adaptable re: working with others or by themselves; demonstrates that they have performed well in both job settings; conveys confidence in their ability to handle the largely solitary work environment of Engineers	Is comfortable working in largely solitary conditions; does not need a high level of social interaction on the job, but is comfortable in such settings; is willing to take on a largely solitary work role	Does not demonstrate any ability or willingness to work in a largely solitary work environment; claims to "need people interaction" while at work; does not convey that s/he would be capable of handling the largely solitary nature of the work

NOTES:

LOVES WORKING IN A TEAM ENVIRONMENT
GETS ALONG WITH ALL CREWS.

WORKED WITH A CONDUCTOR WHO
WAS INJURED ON THE JOB AND HAD TO
WORK ALONE FOR 40+ NIGHTS

MIGHT PREFER TO WORK ALONE WHEN
XTRA BOARD EMPLOYEES THAT WERE
LESS EXPERIENCED WERE CALLED

D08711

Question #13: Comfort in a Unionized Environment

"Give an example of when you have worked as part of a union environment – have your experiences been positive or negative, and why? Or, if you have never worked in such an environment, what do you expect the benefits and drawbacks will be?"

Probing Questions:

What is your experience with a union environment?

What do you expect from a union environment?

3 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	1 <input type="checkbox"/>
Describes experiences where they have successfully worked in union environments; shows an understanding of the role of labor organizations; understands the importance of contractual agreements & union representatives	Does not have extensive experience working with labor unions, but demonstrates insight into the role of the labor organization and the purpose these organizations serve; understands their job duties will be outlined by union contracts	Has no experience with unionized work environments, and has low interest in working in such a setting; shows no understanding of the role of the labor organization; focuses on negative aspect of union employment (i.e., adhering to contracts; dues)

NOTES:

AMTRAK EMPLOYMENT & SP. WAS
UNION SHOP.

EXPECTS SUPPORT, NEGOTIATIONS,

D08712

Question #14: Questions from the Candidate

"We have been over a wide variety of questions today. Do you have some questions that you would like to ask me?"

3 <input checked="" type="checkbox"/> Asks a number of probing questions about the Engineer's job (work duties, work conditions, etc.); shows evidence of [a] researching the demands of the position and [b] identifying areas where they need more information about the job	2 <input type="checkbox"/> Asks a few general questions about the position; shows evidence of having a reasonable understanding of the demands of the position; appears interested in learning more about the position	1 <input type="checkbox"/> Does not ask questions about the position; shows no evidence of having researched the demands of the position; does not appear interested in learning more about the position
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NOTES:

A SKED WHAT WE EXPECT OF
AN ENGINEER

D08713

STEP 3: CONCLUDING THE INTERVIEW

- REVIEW YOUR NOTES – make sure you have notes for each question that was asked – if you do not, go back and ask the candidate to elaborate on their earlier answers
- THANK THE PARTICIPANT FOR THEIR TIME. Let them know the next steps in the process (that they will be contacted by the HR Department)
- DISMISS THE PARTICIPANT FROM THE INTERVIEW

STEP 4: COMPILE YOUR INDIVIDUAL INTERVIEW RATINGS

- Review your notes, and make a numerical rating for each item on the notes pages
- Sum your ratings using the “Candidate Evaluation Matrix” below
- Make your overall evaluation for the candidate

STEP 5: COMPARE YOUR RATINGS WITH THE OTHER MEMBERS OF THE TEAM

- Discuss differences in overall rating and overall score
- Discuss discrepancies in the ratings of individual items (if any)
- Come to a consensus decision on the candidate, and mark your interview form accordingly

CANDIDATE EVALUTION SUMMARY MATRIX

		Your Score	Team Score
1.	Completed “Job Preview” prior to interview	-----	-----
2.	Work Background	3	3
3.	Why interested in becoming an Engineer	2	2
4.	Completing Locomotive Engineer Training	2	2
5.	Ability to work extended hours	3	3
6.	Comfort and Experience with heavy machinery	3	3
7.	Working in a rules- and procedure-oriented environment	3	3
8.	Ability to remain attentive over extended periods of time	3	3
9.	Ability to work with others as part of a team	3	3
10.	Ability to remain calm & make decisions under pressure	3	3
11.	Problem-Solving Ability	3	3
12.	Ability to work in solitary work environments	3	3
13.	Comfort in a unionized environment	3	3
14.	Questions from the candidate	3	3
TOTAL		37	37

Please transfer totals to following page

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YOUR OVERALL EVALUATION OF THE CANDIDATE

<u>3</u>	2	1
Is in the top 1/3 of all candidates <ul style="list-style-type: none"> • Point total of 30 or greater • Only 1-2 answers of "1" • Will successfully pass training and become a top Engineer 	Is in the middle 1/3 of all candidates <ul style="list-style-type: none"> • Point total of 24 or greater • Only 1-2 answers of "1" • Will successfully pass training and become a solid Engineer 	Is in the bottom 1/3 of all candidates <ul style="list-style-type: none"> • Point total of 23 or below • Numerous answers of "1" • Not likely to pass training and/or become a successful Engineer

FINAL NOTES: _____

TEAM EVALUATION OF THE CANDIDATE

<u>3</u>	2	1
Is in the top 1/3 of all candidates <ul style="list-style-type: none"> • Point total of 30 or greater • Only 1-2 answers of "1" • Will successfully pass training and become a top Engineer 	Is in the middle 1/3 of all candidates <ul style="list-style-type: none"> • Point total of 24 or greater • Only 1-2 answers of "1" • Will successfully pass training and become a solid Engineer 	Is in the bottom 1/3 of all candidates <ul style="list-style-type: none"> • Point total of 23 or below • Numerous answers of "1" • Not likely to pass training and/or become a successful Engineer

FINAL NOTES: _____

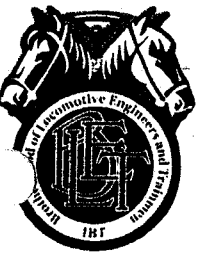
YOUR NAME: CHAD SKINNERSSN/ID: [REDACTED]POSITION WITH AMTRAK LOCOMOTIVE ENGINEER

CHECK ONE:

☐ Amtrak HR Representative
 ☒ Amtrak BLE Representative
 ☐ Amtrak Operations Representative
SIGNATURE: [Signature]DATE: 7/8/04

D08715

ATTACHMENT - EXHIBIT -2



Chad M. Skinner
Vice Local Chairman

1390 Market Street – Suite 2228
San Francisco, CA 94102-5333
Telephone (415) 823-3564
Fax (415) 558-9509
E-Mail: ucms@sbcglobal.net

Mr. John E Campbell
2210 109th Avenue
Oakland, CA 94603

August 10, 2004

Dear Brother Campbell,

The Organization has received your grievance regarding your application to Engine Service with the National Railroad Passenger Corporation (Amtrak) and the subsequent denial of said application.

As you are aware, the Organization participates in the interview and hiring process for Amtrak Locomotive Engineers and was present at the time of your interview on July 7, 2004. The interview process has very strict guidelines for questioning potential applicants as to their abilities and qualifications which may not be deviated from in any way. Applicants are all asked a series of questions in which they may relate their past work experience and qualifications and how these qualifications relate to the position in which they are applying. Amtrak uses a scoring system in which a numerical value is assigned to the applicants answer based on how strongly the interviewer feels that the applicant answered the question. Questions are assigned a score between 1 and 3, one being the lowest score and 3 being the highest.

On July 7, 2004 I had the pleasure of participating in your interview for Engine Service with Amtrak. Your interview was conducted at Amtrak's Water Street offices where Larry Follis (Amtrak RFE) and Susan Venturelli (Amtrak HR) and myself were present. You were asked the same series of questions as all other applicants. We interviewed approximately 30 applicants for the seven positions in Oakland and Sacramento. Your interview was very enlightening and in my opinion ranked among the best. Your overall score ranked among the highest of all the applicants we interviewed over the three day period. It is unknown to the Organization why you were not selected however, it was later discovered that Mr Patrick Preusser had a meeting with Susan Venturelli (HR) on Monday July 11, 2004 to discuss the potential candidates that were to be selected. The Organization was never informed of this meeting nor asked to participate in any capacity despite our contractual right to partake.

A Division of the Rail Conference of the International Brotherhood of Teamsters



25A

Mr. John E Cambell
August 10, 2004
Page 2

I hope this answers some of the questions you may have had with regard to this process and the means by which engineers were selected for the August 2004 Engineer Trainee class.

If we can be of any additional assistance, please contact my self or Rich Barnes at your convenience.

Fraternally,

C.M. Skinner
Vice Local Chairman
BLET Division 144 – Amtrak
Oakland / Sacramento

Cc: R.E. Barnes
D.H. Hansen
R.G. Negrete
D.A. Carroll

ATTACHMENT - EXHIBIT -3

E-mail message

From: johnny468@webtv.net(ThongLickerOne The Real BIGNASTY)
Date: Wed, Sep 29, 2004, 12:46pm
To: proudfoamer@webtv.net
Subject: Fwd: your case

LIFE-LIVE IT DAY-TO-DAY & ENJOY EVERY MOMENT; UNTIL GOD ASK YOU FOR A FAVOR.

[http://community.webtv.net/JOHN_CAMPBELL'S "A BETTER YESTERDAY"](http://community.webtv.net/JOHN_CAMPBELL'S_A_BETTER_YESTERDAY)

From: "Skinner, Chad" <ucms@sbcglobal.net>
To: "Campbell, John" <johnny468@webtv.net>
Subject: your case
Date: Wed, Sep 29, 2004, 9:08am
X-Priority: 3 (Normal)
X-MSMail-Priority: Normal
Importance: Normal
X-Brightmail: Message tested, results are inconclusive

Johnny,

I had a talk with Steve Shelton yesterday about your case. Barnes and I both conferenced some issues with him and yours was one of them.

Like we figured, it was not Steves decision to fire you. He said it came from back east and "Joe Deely". He told them that it was not a terminating offense and that he knew you would get back with pay. Joe told him just to do as he is told.

Even more interesting, Steve said "well who is campbell?" He didn't even remember who you were. After I told him, he said "didn't he apply for engine service before".

To which we replied yep.

Barnes and I also told him how you save Amtraks ass every night in that yard. I told him several cases where you have bailed them out of deep shit almost daily. I told him how there was no second shift that one day and you came in and Berlotti & Preuseer changed the line up and switch list about 10 times. Finally you took 2nd shift and 3rd shift list and got all the work done and not one train was late.

Barnes then told him how you worked the PCS and did such a goo job that they made you a quasi official. And he said he goes there and practically gets the Presidents award for good service then he comes here and gets fired!

Shelton had no idea. I could tell from his expression that he had no idea how much of an asset you were and how much Joe fucked up. I think he already knew that because he said he was sure you would be reinstated.

Barnes wants that transcript from your hearing asap so we can get it to Dean Hansen in Salt Lake for an appeal.

Let me know. Were gonna get you back! Then it is Dave West's turn, just like rose bud.